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WHA
United States Department of State

Washington, D.C. 20520

FEB 11 2005

Dear Mr. Markey:

This is in response to your letter of January 27 requesting that the State Department provide information to the Canadian Commission of Inquiry into the case of Maher Arar.

The decision not to provide the Commission with information from the United States was based on the Commission's mandate to investigate and report on the actions of Canadian officials. Canadian authorities are, therefore, the appropriate entities to respond to the Commission's requests for detailed information.

As Assistant Secretary Kelly noted in his December 17, 2004 letter, the U.S. Government's actions, as we informed the Commission in response to its request, were undertaken at the discretion of the appropriate U.S. authorities without consultation with the Government of Canada. While Mr. Arar's name was placed on a United States terrorist lookout list based on information received as part of an ongoing general sharing of information between the Governments of the United States and Canada, the United States did not seek the Government of Canada's approval or consent prior to removing Mr. Arar from the United States. We believe that Mr. Arar's removal was in the best interests of the United States.

We hope his information is helpful to you. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Powell".

Nancy J. Powell
Acting Assistant Secretary
Legislative Affairs

The Honorable
Edward J. Markey,
House of Representatives.

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